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12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

15 **HOMETRONICS, INC**, a Texas
 16 Corporation,

) CASE NO 5:08-CV-1751 JF (HRL)

)

)

) [PROPOSED]

)

) **ORDER AND STIPULATION OF**
) **PLAINTIFF HOMETRONICS**

19 **CECIL FRED REACER**, an individual,) **AND DEFENDANT ANDREA**

20 **ELECTRONIC ARCHI-TECHS, INC.**,) **NOWAK TO CONTINUE THE**

21 A Nevada Corporation, **ANDREA**) **CASE MANAGEMENT**
 22 **NOWAK**, an Individual, **SHEILA**) **CONFERENCE**
 23 **REACER**, an Individual, and DOES 1)
 through 10, inclusive.) **Date: August 8, 2008**
 24) **Time: 10:30 A.M.**
 25) **Courtroom: Hon. Jeremy Fogel**
 26)
 27)
 28)

Defendants.

WHEREAS, Pursuant to the Court's Case Management Conference Order, Rule 26(a) Reports were due on Tuesday, July 29, 2008; and

WHEREAS, Plaintiff HomeTronics, Inc. and Defendant Andrea Nowak have reached a settlement and are in the process of preparing settlement papers, that will include the filing of a voluntary dismissal with each side to bear its own fees and costs;

WHEREAS, Defendants Cecil Fred Reacer, Electronic Archi-Techs, Inc., and, Sheila Reacer have failed to answer Plaintiff HomeTronic's Complaint;

WHEREAS, Plaintiff HomeTronics is presently preparing a Motion seeking an Order requesting that this Honorable Court Compel a response from Defendants Cecil Fred Reacer, Electronic Archi-Techs, Inc., and, Sheila Reacer to expedited discovery, including regarding the location of assets in case of a Default Judgment;

WHEREAS, Plaintiff HomeTronics, Inc. and Defendant Andrea Nowak require more time in which to prepare their Settlement Agreement;

WHEREAS, this Stipulation is not intended for the purpose of delay;

IT IS HEREBY STIPULATED, by and between Plaintiff HomeTronics, Inc. and the only answering Defendant, Andrea Nowak, through each of their respective undersigned counsel, and subject to the approval of this Honorable Court, that the Case Management Conference be continued for one month, so that Plaintiff HomeTronics, Inc. and Defendant Andrea Nowak may prepare its final Settlement Agreement and Stipulation of Dismissal, and so that Plaintiff HomeTronics, Inc. may prepare and file its Motion for Expedited Discovery.

HANKIN PATENT LAW, APLC

Dated: August 7, 2008 By: / Marc E. Hankin /

Marc E. Hankin, Esq.
Attorneys for Plaintiff,
HOMETRONICS, INC.

1
2 Dated: August 7, 2008 By:

3 /s/ Lawrence G. Townsend
4 Lawrence G. Townsend, Esq.

5 Attorneys for Defendant,
6 **Andrea Nowak**

ORDER

Good Cause having been shown, it is hereby Ordered that the Initial Case Management Conference shall be continued until September 19, 2008 and the Rule 26(a) Report shall be due on or before September 8, 2008.

IT IS SO ORDERED.

Dated: 8/8/08

Honorable Jeremy Vogel

United States District Court Judge